

**UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF DELAWARE**

In re:	)	Chapter 11
	)	
LERNOUT & HAUSPIE SPEECH	)	Case No. 00-4398 (JHW)
PRODUCTS N.V., <u>et al.</u> ,	)	
	)	
Debtor.	)	
SCOTT L. BAENA, LITIGATION	)	
TRUSTEE OF THE LERNOUT	)	
& HAUSPIE SPEECH PRODUCTS	)	
N.V. LITIGATION TRUST,	)	
	)	Adv. Proc. No. 04-54842 (JHW)
Plaintiff,	)	
	)	
v.	)	
	)	
KPMG LLP and KLYNVELD PEAT	)	
MARWICK GOERDELER	)	
BEDRIJFSREVISOREN,	)	
	)	
Defendants.	)	
	)	

**STIPULATION AND ORDER**

It is hereby stipulated and agreed, this 5<sup>th</sup> day of November, 2004, by and between Plaintiff, Scott L. Baena, Litigation Trustee of the Lernout & Hauspie Speech Products N.V. Litigation Trust, and Defendant Klynveld Peat Marwick Goerdeler Bedrijfsrevisoren ("KPMG Belgium") that

a) KPMG Belgium shall not be required to answer or respond by motion to the Complaint until ten (10) days after (1) this Court has entered an order denying Defendant KPMG LLP's Motion to Transfer this Action to the District of Massachusetts ("Motion to Transfer") or

(2) the docketing of the case in the United States District Court for the district of Massachusetts, whichever is applicable.


b) In order to preserve its defenses, KPMG Belgium neither joins in, nor objects to, the Motion to Transfer and shall make no filing with respect to, or argument at, the hearing on the Motion to Transfer, currently scheduled for November 23, 2004.

c) KPMG Belgium shall file no motion in this action seeking a change of venue, regardless of the ruling on the Motion to Transfer. The agreements in this stipulation shall be without prejudice to any defense KPMG Belgium may have in this action, including without limitation, personal jurisdiction and *forum non conveniens*.

DATED: November 11, 2004

SCOTT L. BAENA, as  
Litigation Trustee for the  
Lernout & Hauspie Speech Products N.V.  
Litigation Trust  
By His Attorneys,

**FERRY JOSEPH & PEARCE, P.A.**



Theodore J. Tacconelli (Bar Id No. 2678)  
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- and -

**BILZIN SUMBERG BAENA PRICE &  
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DATED: November 9, 2004

**POTTER ANDERSON & CORROON LLP**

By: 

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and

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Counsel for Defendants Klynveld Peat Marwick  
Goerdeler Bedrijfsrevisoren (making a special  
appearance)

SO ORDERED this 16 day of November 2004:

  
Judith H. Wiznur

United States Bankruptcy Judge